

EIS001911

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February 28, 2000

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Ms. Wendy R. Dixon, EIS Project Manager  
M/S 010  
US Department of Energy  
Office of Civilian Radioactive Waste Management  
Yucca Mountain Site Characterization Office  
PO Box 30307  
North Las Vegas, Nevada 89036-0307

RE: Yucca Mountain draft Environmental Impact Statement

Dear Ms. Dixon:

The Prairie Island Indian Community appreciates the opportunity to provide comments on the Department of Energy's (DOE) draft Environmental Impact Statement (DEIS) for the proposed national geologic repository for spent fuel and nuclear waste at Yucca Mountain.

The Prairie Island Indian Community is a federally recognized Indian tribe organized under 25 U.S.C. Section 476 and is governed under the terms of the Constitution and By-Laws adopted by tribal members on May 23, 1936 and approved by the Secretary of the Interior on June 20, 1936. Its members are Mdewakanton and Wahpekute descent of the Dakota Sioux. There are approximately 550 enrolled tribal members; one hundred and sixty (160) members live on the reservation. The Prairie Island Indian community is located on Prairie Island, which is formed at the confluence of the Vermillion and Mississippi rivers in southeastern Minnesota, approximately 40 miles southeast of Minneapolis.

The Prairie Island Indian Community's interest in spent fuel issues, including its transportation and storage, arises from the establishment of a nuclear power generating plant next to our reservation (the power plant has been operational since 1973). To date, we know of no one in the United States who lives so close to a nuclear facility. Currently, our neighbor, Northern States Power, has begun to store spent nuclear fuel in dry casks on a concrete pad just 600 yards from our homes, our church, our community center, and our business. We have been monitoring the DOE's efforts to develop a national solution for spent fuel and offer the following comments on the draft EIS.

#### General Concerns

- 1... While an additional thirty days were added to the public comment period, the total amount of time was not a sufficient amount of time to adequately review and understand the draft EIS. The DOE has taken many years, with the assistance of many highly qualified technical experts, to study and understand Yucca Mountain. The draft EIS is a very complex and technical document, for a very complex proposed project. It is unrealistic to expect that the draft EIS can be adequately reviewed in such a short timeframe. Indeed, the State of Nevada, with technical and financial resources available to undertake a

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- 1 cont. comprehensive technical review, stated similar concerns. Indian tribes in Nevada, without the technical expertise or the financial resources, may have difficulty in preparing technical comments on the draft EIS. As a result, the concerns of these tribes may not be on the record and may go undressed.

The "No-Action Alternative"

- 2 As the DOE is well aware, the United States government has a Trust relationship with the Prairie Island Indian Community as well as with all Indian tribes. The United States has a responsibility to protect the environment, human health, natural and cultural resources, and property interests in Indian Country. Protecting our people from harmful impacts demands that the federal government will expeditiously and safely remove nuclear waste from Prairie Island.

- 3 As mentioned previously, our neighbor, Northern States Power, has run out of pool storage space and is currently using dry cask technology to keep the plant operational. The Nuclear Waste Policy Act (NWPA) mandates that the DOE begin removing and storing spent fuel from commercial nuclear power plants by January 31, 1998. This date has come and gone; there is no date in sight for its removal. Our greatest fear is that this "temporary" waste storage facility will become a de facto repository.

While we recognize that the NWPA prevents the DOE from considering the need for the repository or alternatives to geologic disposal and that the No-Action alternative was evaluated to provide a baseline for comparison with the Proposed Action, we believe that it is necessary to point out that the No-Action alternative has serious ramifications for our community.

The Prairie Island Indian Community is the closest community next to a nuclear power plant and waste storage facility. This nuclear waste storage facility is within feet - not miles - of our people. To even suggest that the spent fuel will remain on-site, either with institutional controls or unimaginably, without controls, is not acceptable to the Prairie Island Indian Community. The No-Action alternative is not a realistic.

As discussed in the draft EIS, if the spent fuel is left on-site in dry storage, eventually the radioactive materials would escape to the environment, contaminating the atmosphere, soil, surface water and groundwater. Although there is no mention of what would happen to the people living near these sites, we assume that they would either be removed or face contamination. We have no intention of leaving our land, land that was promised to us by the United States government. Unless this waste is removed, our children, and our children's children will be forced to live with this very real health and safety threat.

The No-Action alternative means the federal government will continue to deny its responsibility for the nuclear waste that sits on Prairie Island and in 71 other communities. As stated in the draft EIS, Congress has affirmed that the Federal government is responsible for the permanent disposal of spent nuclear fuel and high level radioactive waste. The safe disposal of these materials is a National responsibility and priority.

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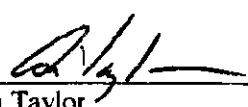
Transportation Concerns

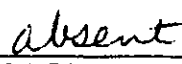
- 4 [An analysis of Yucca Mountain must include a complete analysis of transportation issues, including  
5 routes, transportation packages, and health and safety concerns. All jurisdictions – tribal, state and local –  
must be fully prepared for those shipments and be included in developing emergency preparedness plans.]
- 6 [We know that nuclear waste from Northern States Power will be transported through and adjacent to our  
reservation to a federal storage facility. Other jurisdictions may not be aware that they might be impacted  
by shipments. The DOE must begin conducting field workshops in these areas to begin educating people  
about these shipments and to answer the many questions people have regarding safety and emergency  
preparedness arrangements.]

Thank you for this opportunity to provide comments on the draft Environmental Impact Statement for  
Yucca Mountain.

Respectfully,

  
Audrey Kohnen  
Tribal Council President

  
Lu Taylor  
Tribal Council Secretary

  
Noah White, Jr.  
Tribal Council Vice-President

  
Darrell Campbell  
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